IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION NO : 16152 of 2002

Between:

1. Kondreddi Viswanadha Reddy, S/o Rami Reddy, aged 46 years, R/o Papireddigaripalle, Galiveedu Mandal, Cuddapah District.

2. Veluginti Krishna Kishore Reddy, S/o Rami Reddy, aged 24 years, R/o Ariveti Vondla Palli, Galiveedu Mandal, Cuddapah District.

..... PETITIONER

AND

1. The Joint Collector (Civil Supplies), Chittoor Collectorate, Greamspet, Chittoor, Chittoor District.

2. The State, Rep. by the S.H.O., Kalikiri Police Station, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ, order or direction more particularly in the nature of “Writ of Mandamus” declaring the action of the respondents in seizing 206 bags of rice weighing 50 kgs., each along with the lorry bearing Regd.No.AP-04-U-3364 which was seized by the 2nd respondent on 17.08.2002 near T.Sandravaripalle at Sorakayalapeta on Piler-Kalakada Road, Kalikiri Mandal in Crime No.47 of 2002 of Kalikiri Police Station under Section 7(1) of Essential Commodities Act r/w A.P.Scheduled Commodities (L & D) Order, 1982 is illegal, arbitrary without any authority of law and violative of Articles 20 and 21 of the Constitution of India and consequently direct the

respondents to desist from initiating proceedings under Section 6-A and 7 of the Essential Commodities Act.

Counsel for the Petitioner: MR.D.VIJAYA CHANDRA REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following:

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.16152 OF 2002

ORDER:

On an allegation that the petitioners were illegally transporting rice intended for 'Food For Work' programme, the Assistant Inspector of Police, P.S., Kalikiri, seized lorry bearing No.AP-04-U-3364 and 206 bags of rice of 50 kg each under a panchnama dated 17.08.2002. A crime being crime No.47 of 2002 was registered and the first petitioner and three others were arrested. They were remanded by the Court of Judicial Magistrate of First Class, Vayalpad. The petitioners assailed the said seizure on the ground that they raised paddy crops and after converting the paddy into rice in Galiveedu, they were transporting the rice to Chintamani in Karnataka State and that the same is not intended for 'Food For Work' programme.

This Court while admitting the writ petition directed to release the lorry and seized stock. Therefore, in stead of keeping the matter pending, this Court deems it proper to dispose of the writ petition directing the first respondent or the District Collector, Chintamani to complete the proceedings under Section 6-A of Essential Commodities Act, 1955, within a period of four weeks from the date of receipt of this order, if not already completed.

The writ petition is accordingly disposed of.

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(V.V.S.RAO,J)

13.06.2005.

pln

To

1. The Joint Collector (Civil Supplies), Chittoor Collectorate, Greamspet, Chittoor, Chittoor district.
2. The Station House Officer, Kalikiri Police Station, Chittoor District.
3. Two CCs to Government Pleader for Civil Supplies, High Court Buildings, Hyderabad (OUT).
4. 1 CC to MR.D.Vijaya Chandra Reddy
5. 2 CD copies.